

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
(www.flmb.uscourts.gov)

In re:

NATIONAL RADIOLOGY CONSULTANTS, P.A.,
Debtor.

Case No. 8:19-bk-01274
Chapter 11 Proceeding

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OBJECTION TO CONFIRMATION

Creditor, Satish Venkataperumal, M.D. (“Satish”), by his undersigned counsel, hereby objects to confirmation of the Debtor’s Amended Plan of Liquidation (Doc. 120 – the “Plan”), and states:

1. Satish is a creditor in this case with a filed claim in the amount of \$138,561.52, part of which is an unsecured priority claim (Claim no. 16). For purposes of the Plan, it appears that Satish has claims in Class 1 – Unsecured Priority Wage Claims, and Class 5 – Unsecured Wage Claims.

2. Satish objects to confirmation of the Plan on the following grounds:

- a) The Effective Date of the Plan is unclear and completely within the control of the Debtor;
- b) The “subordination” language relating to the claims of Dr. Okoh is unclear;
- c) The concept of a “critical vendor” is inconsistent with the concept of a liquidating plan;
- d) The Exoneration and Reliance provision in Section 5.10 is inappropriate;
- e) The Third Party Discharge and Discharge Injunction provision in Section 2.4 is inappropriate. The Plan is a liquidating plan and not even the Debtor is entitled to a discharge in a liquidating case;
- f) The Plan does not comply with the best interest of creditors test;

- g) The Plan is not filed in good faith and is for the primary benefit of insiders, i.e. Dr. Okoh; and
- h) The Plan inappropriately grants liens on assets of affiliates through substantive consolidation. Such provision is inappropriately buried in Section 2.4 of the Plan.

Wherefore, Satish objects to confirmation of the Plan.

JOHNSON, POPE, BOKOR,
RUPPEL & BURNS, LLP

By: /s/ Michael C. Markham
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served electronically on all CM/ECF participants this 24th day of July, 2019.

/s/ Michael C. Markham